

# EXHIBIT D



555 12<sup>th</sup> Street, N.W., Suite 1200  
Washington, D.C. 20004-1275 U.S.A.  
(202) 289-1313  
Fax (202) 289-1330

[www.btlaw.com](http://www.btlaw.com)

William R. Martin  
Partner  
202-371-6363  
[billy.martin@btlaw.com](mailto:billy.martin@btlaw.com)  
Admitted to Practice Only In: DC, OH

April 5, 2023

Via Electronic Mail

Michael K. Krouse, Esq.  
ARNOLD & PORTER LLP  
250 W. 55th St.  
New York, NY 10019  
[Michael.Krouse@arnoldport.com](mailto:Michael.Krouse@arnoldport.com)

RE: *United States v. James Velissaris*

Michael:

Thank you for your letter of earlier today. In light of your response, could you please clarify for me when you applied for the Enforcement Director position at the CFTC, and when you were informed by the CFTC that you were not selected for the position?

In addition, as you know, pursuant to Rule 1.7(b)(4) of the New York Rules of Professional Responsibility, lawyers in a conflict of interest situation are required to obtain informed consent in writing from the affected client before the lawyer can continue to represent him. Please confirm that you asked for and received written consent from Mr. Velissaris at some point during the pendency of your application with the CFTC, and when you received it. As a final matter, since your representation related to a pending trial matter in SDNY, did you notify Judge Cote?

Sincerely,

William R. Martin

cc: Paul J. Fishman, Esq.  
Veronica E. Callahan, Esq.  
Kathleen Reilly, Esq.